

limiting phrase "metal structure comprising a metal having a melting temperature above 660°C" of independent claim 7. The Applicants refer to page 4, lines 2-7 where it reads "Then molten aluminum is poured into the mold. However, Lee's method only works for metals having low melting temperatures. Embedding a fiber optic sensor in a metal structure having high melting temperature will decay the fiber, thus damages the sensor."

Accordingly, Applicants respectfully request that the restriction/election requirement be reconsidered and withdrawn and all pending Claims of Group II and Group III be examined.

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Respectfully submitted,



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FAX COVER SHEET

Total Pages (including cover): 3

Date: 10/9/02

From: Ron Jacobs

To: Examiner Spears, Eric J.

Your Fax: 703-872-9318

Re: 09/597,966, S00-042

Memo: The Response to Election is enclosed herewith.

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IN THE US PATENT AND TRADEMARK OFFICE

#7
10-11-02
CJL/AM

In re Application of:

5 Xiaochun Li

Art Unit: 2878

Serial No: 09/597,966

Examiner: Spears, Eric J.

Filed: 06/20/2000

For: Embedded sensor, Method for producing, and remote temperature/strain fiber optic
sensing System

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT
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Sir:

In response to an Office Action mailed on September 10, 2002, and in accordance with
35 37 CFR 1.143, applicants hereby provisionally elect Group III invention for prosecution on the
merits.

REQUEST TO RECONSIDER UNDER 37 CFR 1.143

Applicants hereby respectfully traverse the election/restriction requirement. The
40 Applicants hold that Claims of Group II and Group III are not distinct since the products as
claimed in Group III cannot be made by another and materially different process as the process
claimed in Group II. Particularly, the products claimed in Group III cannot be made by metal
molding as is exemplarily cited by the Examiner. In that context the Applicants refer to the

09/597,966 (S00-042)

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